

M e m o r a n d u m

Date: October 26, 2009

To: Office of the Commissioner
Attention: Commissioner J. A. Farrow

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Office of the Assistant Commissioner, Inspector General

File No.: 005.9968.13842.010

Subject: FINAL 2009 COMMAND EVIDENCE INSPECTION OF THE
BUELLTON AREA

I am issuing this final inspection report of the Buellton Area pursuant to Government Code (GC) §13887, the California Highway Patrol (CHP) Audit Charter and CHP Audit Plan. The inspection focused on the command's evidence system pursuant to departmental policy set-forth in Chapter Two, *Command Evidence* of Highway Patrol Manual (HPM), 22.1, *Command Inspection Manual*, and HPM 70.1, *Evidence Manual*.

This inspection was conducted using methodology #3, as presented in HPM 22.1. This is a five step process, which consists of selecting an item in the Area Information System (AIS); locating the item in the Evidence/Property Log; reviewing the corresponding CHP 36 Evidence/Property Receipt/Report; locating the evidence/property item; and verifying the current disposition of the item.

The inspection consisted of examining a stratified random sampling of all categories of evidence/property in the AIS. There were a total of 96 active, 365 closed, and one voided evidence/property numbers in the AIS. The evidence numbers were broken down according to their respective categories within AIS. The evidence numbers associated with closed and voided items were kept separate from the active items. To achieve a statistically defensible sample with a 95 percent confidence level and a plus or minus five percent error rate, 40 items from the active, 50 from the closed, and one evidence number from the voided categories were inspected. Each category from AIS was stratified to ensure each group was proportionally represented in the sample. The internet web site "randomizer.org" was utilized to randomly select evidence numbers from each stratified category as well as the closed and voided numbers.

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The inspection findings for the Buellton Area are as follows:

1. The Commander did not consistently sign Evidence Audit and Inventory memorandums.
2. Fifteen evidence items inspected were delayed five days or longer from the time the officer dated the CHP 36 form until the time the evidence officer signed and dated the CHP 36 form indicating the receipt of the evidence.
3. Seven evidence items inspected were associated with items falling into the money category. The initials of two employees, one of which should be a supervisor, did not appear on four of the CHP 36 forms indicating the money was counted by two employees.
4. The chain of possession on four closed items inspected was incomplete. In each instance there was not sufficient documentation as to what items were released, and/or name/title of the individual taking possession of the evidence.

The Buellton Area Commander agreed with the findings and has taken corrective action to improve command operations related to the command's evidence system. The Commander's response is attached and is incorporated into this final report.

In accordance with the *International Standards for the Professional Practice of Internal Auditing* and Government Code §13887 (a) (2), this report, the response, and any follow-up documentation is intended for the Office of the Commissioner; Office of the Assistant Commissioner, Field; Office of the Assistant Commissioner, Inspector General; Office of Legal Affairs; Office of Inspections; and Coastal Division. Please note this report restriction is not meant to limit distribution of the report, which is a matter of public record pursuant to Government Code §6250 et seq. Furthermore, in accordance with the Governor's Executive Order S-20-09 to increase government transparency this report will be posted on the CHP's internet website, and on the Office of the Governor's webpage, located on the State's Government website.

Coastal Division has reviewed the corrective action taken by the Buellton Area and has concluded that all previously identified deficiencies have been resolved. As a result no further reporting is required by the Buellton Area and matter is considered closed.

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The Office of Inspections would like to thank the Buellton Area's management and staff for their cooperation during the inspection. If you need further information, please contact me or Assistant Chief Ken Hill at (916) 843-3005.


M. C. A. SANTIAGO
Assistant Commissioner

Attachment

cc: Office of the Assistant Commissioner, Field
Office of Legal Affairs
Office of Inspections
Coastal Division
Buellton Area

Memorandum

Date: October 8, 2009

To: Office of Inspections

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Coastal Division

File No.: 701.10916.13313

Subject: **RESPONSE TO DRAFT BUELLTON AREA COMMAND EVIDENCE
INSPECTION REPORT**

Coastal Division is forwarding the attached memorandum from the Buellton Area detailing their response to the draft findings from the Area's Command Evidence Audit conducted by the Office of Inspections. Coastal Division has reviewed the Buellton Area response to the Command Inspection Audit Report and concurs with their response and is satisfied with the findings.

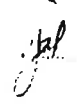
If you have any questions, please contact Assistant Chief Scott Howland at (805) 549-3261.



A. S. CUEVAS
Chief

Attachments

OCT 8 2009



Safety, Service, and Security

Memorandum

Date: October 5, 2009

To: Office of Inspections

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Buellton Area

File No.: 755.13056.commandevidinsp

Subject: RESPONSE TO DRAFT BUELLTON AREA COMMAND EVIDENCE
INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft command evidence inspection report of the Buellton Area as required by the Office of Assistant Commissioner, Inspector General's memorandum dated September 16, 2009.

FINDINGS REQUIRING FOLLOW-UP:

Finding 1 – Agree. The Commander did not consistently sign all evidence audit and inventory memorandums. In the future, in lieu of initialing the memorandums, the Commander will sign them.

Finding 2 – Agree. 15 evidence items inspected were delayed five days or longer before they were processed into the Area's evidence room. On October 1, 2009, the Commander met with the Area's evidence supervisor and primary and alternate evidence officers. In the future, when scheduling vacations, training, etc., the evidence supervisor will make every attempt to ensure an evidence officer is available to process/remove evidence from the temporary storage lockers and secure it in the evidence room (pursuant to HPM 70.1, Chapter 12 -4, j).

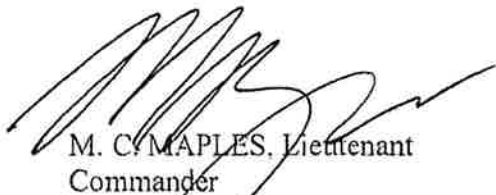
Finding 3 – Agree. The initials of two employees were not noted on four CHP 36 forms associated with money (to ensure the accuracy of the count). On October 1, 2009, the Commander met with the Area's evidence supervisor and primary and alternate evidence officers. A briefing item was developed to be discussed immediately at briefings and a one hour block of evidence refresher training will be conducted during Area's fourth quarter 2009 training day scheduled for December 11, 2009. Additionally, the evidence officer will forward a copy of all CHP 36's forms associated with money to both the evidence supervisor and Commander to ensure the count is being conducted by two employees.

Finding 4 – Agree. The chain of possession on four closed items that were inspected was incomplete (specific to what items were released and the name/title of the person taking possession). On October 1, 2009, the Commander met with the Area's evidence supervisor and primary and alternate evidence officers. In the future, the evidence officer will ensure the

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reverse side of the CHP 36 is completed when evidence is released/transferred or disposed of. During quarterly evidence audits, the evidence supervisor will also conduct a random audit specifically of closed cases to ensure the chain of possession was completed.

Questions regarding this response may be directed to me via e-mail at mmaples@chp.ca.gov or by telephone at (805) 688-5551.



M. C. MAPLES, Lieutenant
Commander

cc: Office of the Assistant Commissioner, Field
Coastal Division